

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JUAN GARCIA,

§ § § § § § § § § §

Plaintiff,

§

versus

§

CIVIL ACTION NO. 1:20-CV-555

STILES UNIT, *et al.*,

§

Defendants.

§

**ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Juan Garcia, a prisoner previously confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the Stiles Unit, Head Warden Darrell Wallace, Major Rockella Neal, Officer Brown, Sergeant Harold, Inmate Newberry, and Inmate Auguliar.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. On May 16, 2023, the magistrate judge recommended dismissing the action pursuant to 28 U.S.C. § 1915(e).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

ORDER

Accordingly, Plaintiff's objections (#46) are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#33) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 6th day of November, 2024.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE